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EXHIBIT

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IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA,  
NEWPORT NEWS DIVISION

BOBBY BLAND, DANIEL RAY CARTER, JR.,  
DAVID W. DIXON, ROBERT W. MCCOY,  
JOHN C. SANDHOFER, and DEBRA H. WOODWARD,

Plaintiffs,

v

4:11cv45

B.J. ROBERTS, individually and in his  
official capacity as Sheriff of the  
City of Hampton, Virginia,

Defendant.

DEPOSITION UPON ORAL EXAMINATION OF

JOHN SANDHOFER

Taken on behalf of the Defendant

Newport News, Virginia

August 23, 2011

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INGRAM REPORTING  
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INGRAM REPORTING

1 took notes for the sheriff. I know because I talked  
2 to Lieutenant Lewis about it. So, we went to that  
3 debate together. The sheriff saw us several times  
4 together.

5 Q This is --

6 MR. SHOEMAKER: He's answering the  
7 question. Let him answer the question.

8  
9 BY MR. ROSEN:

10 Q You can finish.

11 A Lieutenant Cherry, who is the public  
12 information officer, had seen my girlfriend and I  
13 together several times because -- I'm going to get to  
14 the point where this is important with my girlfriend.  
15 Lieutenant Cherry had seen my girlfriend and I  
16 together on several occasions at Kelly's Bar on Sunday  
17 afternoons to watch football and had met her several  
18 times.

19 Lieutenant Cherry worked the poll, the  
20 same poll that my girlfriend worked across the  
21 sidewalk. My girlfriend worked for Jim Adams that  
22 day, stood out there for the entire time the polls  
23 were open right across there. She told me the sheriff  
24 walked into the polling place, walked right past her,  
25 turned and stared at her and did a double take being

1 fully aware of who she was.

2 She also went out and -- both she and I  
3 had gotten a cell phone from Jim Adams and a list of  
4 people to call campaigning for Jim. She went around  
5 door to door on a couple of occasions putting out  
6 flyers for Jim.

7 I was told -- the first occasion -- I was  
8 told by my lieutenant, Lieutenant Harding -- she  
9 called me, and she said, The sheriff is having a  
10 reception at the mayor's house tonight, and he has  
11 specifically requested you to be there, and it's  
12 important for you to be there when he asks for you to  
13 be there. So, I went to it, and I went to it  
14 grudgingly because I really felt like that's a hostile  
15 work environment to be expected to have to appear.

16 Q But you went there?

17 A I did.

18 Q Okay. All righty.

19 A I did. And then the day before the  
20 election, Lieutenant Harding called me, and she said  
21 that, Tomorrow when you come to work, you need to  
22 bring a change of clothes because as soon as you get  
23 off, you were going to be -- going to -- and I forget  
24 which elementary school she told me -- she said, To  
25 work the polls. At first, I said, Okay. And I got

1 off the phone, and I said -- I didn't feel comfortable  
2 with that, so I called her back. And she didn't  
3 answer, but I left her a message, and I said,  
4 Lieutenant, I said, I don't feel comfortable doing  
5 this. Tell the sheriff that my family comes first.

6 I was at the meeting that the sheriff  
7 held at circuit court for our -- I was part of with --  
8 the court services and the administration all got  
9 brought into circuit court one afternoon, and he came  
10 in and had a meeting and was talking about the  
11 upcoming election telling everyone that he expected  
12 their support. He went on to talk about, Don't get  
13 yourself -- and I'm going to paraphrase. I'm not  
14 going to try to say exactly what I believe the sheriff  
15 said, but -- Don't get yourself jammed up by putting  
16 yourself on Facebook or Myspace. I don't know that he  
17 said jammed up, but it was, you know, don't -- don't  
18 put your name on somebody else's Facebook page  
19 supporting my opponent. And he made the comment about  
20 his train is the long train, and he's going to be the  
21 sheriff as long as he expects -- as long as he wants  
22 to be sheriff, and if we're going to go out and oppose  
23 his campaign and support another campaign, we could  
24 expect there to be changes when he gets reelected.  
25 And there was senior staff in the meeting that also

1 got up and said, You need to know where your bread is  
2 buttered.

3 After that meeting, Captain Wells-Major  
4 called me and said -- she goes, I need you to wait  
5 around for a minute because the colonel wants to speak  
6 with you. And Colonel Bowden said that she needed me  
7 to go around and talk to businesses -- because I have  
8 business contacts in downtown Hampton -- and find  
9 places for the sheriff's sign to go up. And I told  
10 her I would, but I never did.

11 Q Okay. Anything else?

12 A I did attend the cookout, the famous  
13 cookout that Ramona Larkins hosted, the one that Danny  
14 and Jim Adams came to. And after that, Ramona was  
15 called into the colonel's office and grilled over the  
16 fact of who was at the cookout, and why was Jim Adams  
17 there and, you know -- so, you know, she had to give  
18 basically the names of the people that were at the  
19 cookout.

20 Q Okay. Anything else?

21 A I'm sure there's other things. Sitting  
22 here right now, it's hard to recall everything.

23 Q Okay.

24 A Because, I mean, I jumped around. I  
25 couldn't even give it to you chronologically because

1 girlfriend at the poll. Does that mean that you don't  
2 support the sheriff?

3 A Yes. I believe that does indicate to the  
4 sheriff that I don't support him.

5 Q How?

6 A The sheriff has a track record of  
7 dismissing people whose mother puts signs in their  
8 yard. She lived with me.

9 Q Okay. So, it's your position that  
10 because your girlfriend was supporting Adams, that was  
11 -- that the sheriff should have known that you didn't  
12 support him?

13 MR. SHOEMAKER: Object to the form of the  
14 question.

15

16 BY MR. ROSEN:

17 Q Is that your -- is that your position?

18 MR. SHOEMAKER: Object to the form of the  
19 question.

20 Answer to the best of your ability.

21 THE WITNESS: She -- she had a Jim Adams  
22 for Sheriff bumper-sticker on the back of her  
23 car, and I rode around in the car with her.

24

25

1 BY MR. ROSEN:

2 Q Okay. All right. So -- okay.

3 A I mean, there's enough of a connection  
4 there that I know that the sheriff knew that I didn't  
5 support him.

6 Q Well, that's what I'm trying to get to.  
7 Okay. I understand your position. Now I have a  
8 chance to ask you questions about your position and  
9 why you feel that way, and that's what I'm going to  
10 do.

11 Okay. So, you told me about your  
12 girlfriend's role with -- in Adams' campaign, but you  
13 specifically made it your -- you intentionally kept  
14 secret your support of Adams in the sheriff's  
15 department, didn't you?

16 MR. SHOEMAKER: Object to the form of the  
17 question. It misstates prior testimony.

18 Answer to the best of your ability.

19 THE WITNESS: I attempted to try and keep  
20 it as secret as possible because I knew of the  
21 sheriff's track record.

22

23 BY MR. ROSEN:

24 Q Okay. And, in fact, you were campaigning  
25 behind Sheriff Roberts' back while you were employed

1 Q Okay. So, you believe that was a direct  
2 order to show up at the mayor's house you received?

3 A Yes.

4 Q Were you paid for that?

5 A No.

6 Q Okay. And when you -- originally, when  
7 you were asked to work the poll, you originally said  
8 you would work the poll; is that correct?

9 A Yes.

10 Q And then you called up and said your  
11 family comes first, you had other obligations, and you  
12 couldn't work the poll, correct?

13 A I made an excuse because I didn't want  
14 to -- I didn't want to come out and say, I don't feel  
15 that, you know -- I felt like if I came out and told  
16 my lieutenant that I don't want to go because I feel  
17 like I'm being bullied into doing it, I would believe  
18 that that would put my employment at jeopardy.

19 Q Okay. And so, you didn't do that?

20 A Right.

21 Q So, you didn't tell that you were not  
22 going to do it because you supported Adams, correct?

23 A Correct.

24 Q All right. And you never told the  
25 sheriff or any of his administrative staff that you



1 were not going to support his candidacy, did you?

2 A Not directly.

3 Q Okay.

4 A Because I believe that, you know, there  
5 was a hostile work environment created, that if you  
6 didn't have political patronage to the sheriff, that,  
7 you know, you could expect to lose your job. So,  
8 therefore, you did what you could to try and hide  
9 anything that you were doing.

10 Q And that's what you did? You tried to  
11 hide it?

12 A Obviously not well enough.

13 Q Okay. Now, in fact, I'm going to show  
14 you a document that's been marked Roberts 069,  
15 Bates-stamped Roberts 069. It's an email chain from  
16 Kathy Eley. Do you know who that is? Who's Kathy  
17 Eley?

18 A Kathy Eley?

19 Q Eley. Who is that?

20 A She was a deputy. I believe she was in  
21 transportation when I was working there.

22 Q Okay. Was she a friend of yours?

23 A Coworker.

24 Q Coworker. You sent emails to her? You  
25 sent emails to her?

1           A           So, I felt like -- I felt like I had more  
2     than accomplished the -- you know, nobody came to me  
3     -- came back to me and said, Well, you still have to  
4     pay for these tickets.

5           Q           Because you had obtained the sponsors for  
6     the golf tournament, you did not sell tickets or buy  
7     tickets?

8           A           Or buy tickets. Right.

9           Q           So, you were not coerced into doing it,  
10    were you?

11          A           Was I -- no, not individually.

12          Q           Okay.

13          A           But I know that other deputies felt like  
14    that it was -- it was coercion.

15          Q           Do you know how many deputies actually  
16    sold tickets or bought tickets from the sheriff's  
17    department?

18          A           Personally, no, because I --

19          Q           Okay.

20          A           All I know is that when the tickets were  
21    handed out by the lieutenant or the sergeant, you were  
22    told, you know, the tickets don't come back. Money  
23    comes back. I also know that in 2009 prior to the  
24    election when the petition was going around for  
25    reelection you have to turn in to get on the ballot --

1 BY MR. ROSEN:

2 Q That's what you told me previously.

3 MR. SHOEMAKER: Object to the form of the  
4 question.

5 Go ahead and answer --

6

7 BY MR. ROSEN:

8 Q You can answer it.

9 MR. SHOEMAKER: -- it to the best of your  
10 ability.

11 THE WITNESS: Could you restate the  
12 question? Because that --

13

14 BY MR. ROSEN:

15 Q Yes. You previously --

16 A -- doesn't make any sense to me.

17 Q You previously testified that as far as  
18 you knew, it was not a political event for Adams.

19 A Correct.

20 Q Okay. And that's your testimony still  
21 today, still now, isn't it?

22 A Yes. It was -- it was a cookout among  
23 friends and family.

24 Q Okay. So, there would be no reason for  
25 the sheriff to conclude that the guests were Adams'

1 Q Okay. Well, you don't have any  
2 information that she did, do you?

3 A Not today, no.

4 Q In fact, you don't have any  
5 information -- you don't have any information that  
6 anyone you told that you're supporting Adams told the  
7 sheriff you were not supporting him, do you?

8 A Sitting here today, I don't know that I  
9 do. No.

10 Q In the meeting when the sheriff came to  
11 talk to the folks in the civil process, the sheriff  
12 never said that if you don't vote for me, you're going  
13 to be fired, did he?

14 A Those specific words, no. What he said  
15 was that he's going to be the sheriff as long as he  
16 wants to be the sheriff, and that if you want to  
17 support the man that he fed for 16 years, you can  
18 expect there to be some changes. And, in fact, my  
19 direct supervisor, Sergeant Perkins, made the same  
20 discussion with us in a staff meeting, that it's in  
21 your best interest to support the sheriff. And the  
22 day after the election, she specifically said that if  
23 you said anything or anything's out there you did  
24 anything, don't be surprised if there are changes  
25 made. If this is not the person you can work for,